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EDUCATION WEEK

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By All Measures:
The Debate Over Standards and Assessments

Mark Andersen

Some call it "common sense," others say it is "oversimplification." Some claim it would widen the educational-equity gap, others insist its purpose is precisely to bridge that chasm.

The movement toward national standards for student learning—and a national system of assessments that would gauge and, theoretically, enhance that learning—is dividing educators and policymakers even as it takes concrete form in legislation before the U.S. Congress.

In a special pullout Commentary section, beginning opposite page 22, 45 leading educators and policymakers present some of the compelling and contentious arguments for and against such a system.

Perot And Texas

Role in 1984 Reforms Offers Clues to Style

By Julie A. Miller

At the heart of Ross Perot's independent campaign for President is his appeal as a leader untainted by politics. But the Texas billionaire is hardly a neophyte in the public-policy arena.

In 1984, he ran a sophisticated political

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campaign—replete with consultants, news conferences, and staged events—that culminated in a merciless game of political hardball in the Texas Legislature.

The subject was education, and the result was one of the most comprehensive state school-reform laws ever enacted and what was then the largest tax increase in Texas history.

"The Texas education story is important, because it clearly shows Perot's style," Michael W. Kirst, a professor of education at Stanford University who worked on the reform plan as a consultant, said in an inter-

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AP/Wide World

Ross Perot with Blair Preble, 7, in Las Vegas. Nevadans have gathered enough signatures to place Mr. Perot's name on the state's Presidential ballot.

2 Lawsuits Seek State Vouchers For Poor Youths

L.A., Chicago Schools Inadequate, Parents Say

By Mark Walsh

A conservative advocacy group took another step last week in its national litigation strategy to push parental choice in education by announcing lawsuits demanding that groups of low-income parents and children in Chicago and Los Angeles receive state vouchers for private-school tuition.

In suits filed in Illinois and California state courts, the parents and children argue that the local public schools are unconstitutional because they offer an education that is inadequate, unsafe, and lacking in parental control and involvement.

The suits were organized by the Institute for Justice, a Washington-based organization.

"These people do not really enjoy access to the American dream—they do not enjoy the opportunity to send their children to a safe, decent school," Clint Bolick, the vice president and litigation director for the institute, said at a news conference in Washington.

The lawsuits cite various provisions of the state constitutions and the U.S. Constitution in seeking rulings that would allow the children to leave the public-school system and take their share of state education funding with them.

The Chicago suit, for example, points out that the Illinois constitution requires the state to "provide for an efficient system of high-quality public educational institutions and services."

"By any objective measure, defendants have not provided" the Chicago pupils with "efficient or high-quality public educational institutions," the lawsuit argues. The appropriate remedy would be to allow the children to take their "pro rata" share of state education funding—currently about $2,500—and use it to enroll in private schools or other public schools, the suit contends.

An unusual aspect of the Chicago and Los

Continued on Page 19

School-Finance Suits Look Beyond Money To Issues of Quality

By Lonnie Harp

Even as lawsuits challenging the way states fund their schools rack up an unprecedented courtroom winning streak, some lawyers and educators are suggesting that the school-finance movement focus less on the issue of money and more on the quality of education itself.

Turning their attention from dollar signs to graduation lines, advocates for poor school districts are beginning to scrutinize program offerings and achievement measures as they search for the components of a fundamentally fair education system.

This idea calls for a shift from a drive for "equity"—reducing the spending disparities between schools in wealthy and poor

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Publication Schedule

With this issue, *Education Week* begins its summer publishing break. The next issue will be dated Aug. 5.

The display-advertising deadline for the Aug. 5 issue is Friday, July 24. The Marketplace deadline is Monday, July 27.

Weekly publication will resume with the Sept. 9 issue, which will include the Index to Volume XI and the 1992-93 Calendar of Events.

For Children With 'No Decent Place,' Housing Woes Jeopardize Learning

By Deborah L. Cohen

When American schoolchildren learn the legends of their nation's leaders, they are certain to hear about how Abraham Lincoln grew up in a stark log cabin with a dirt floor and only the light of a candle to study by at night.

For many of those children, the struggle to learn amid daunting home conditions is more than a story out of a history book.

At least three million U.S. households live in housing considered deficient under federal guidelines. Such housing may, for example, lack ample heat and hot water, or pose lead and electrical hazards.

Compounding these problems for many youngsters are severely crowded conditions and neighborhood environments in which their sleep is disrupted by neighbors' quarrels, their peace of mind is disturbed by gunfire, and their safety is threatened by gangs and drug dealers.

"Here we are talking about school readiness when we have this really shocking circle of children who don't find it safe to move around their own neighborhood, and live in home conditions that might threaten them as well," said Ernest L. Boyer, the president of the Carnegie Foundation for the Advancement of Teaching. "If we don't define

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Two Decades After the Passage of Title IX, Fewer and Fewer Women Fill Coaches' Shoes

By Karen Diegmueller

Throughout her entire athletic career at Eau Gallie High School in Melbourne, Fla., Karen Kull never once had a woman coach for any of the four sports she played. Many of the male coaches she had were fine, some even tremendous, she says, but there was one male coach with whom she had a particularly galling experience.

"The man did not know how to coach girls," Ms. Kull, who was both a high-school and college all-American, recalled recently. "He tried to coach us as he would coach a boys' team, and it did not work. He was calling us losers, telling us we weren't worth anything."

"For guys, from what I understand, that would get them pumped up. Girls, on the other hand—and it wasn't just me—started taking that stuff personally," she said.

Ms. Kull's high-school experience is becoming the norm. Since the passage of Title IX of the federal Education Amendments Act 20 years ago this month, a whole generation of girls and young women has enjoyed opportunities to play sports unheard-

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Also in the news

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Despite tight budgets, cities hope to keep youth job and reoreation programs in place.

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Hundreds of exchange students from war-torn Yugoslavia are stranded here.

30 **Battle of the Bulge**
Overseas troop shifts are adding thousands of students to stateside schools.

IN SUMMARY

'G.I. Bill for Service'
The federal Commission on National and Community Service has awarded its first round of grants to 154 school-based and other service projects nationwide. **Page 5.**

Jobs for Teachers
Despite the country's continuing economic problems, a national longitudinal study depicts a relatively auspicious marketplace for teachers in most subject areas. **Page 5.**

Decentralizing Boston
The superintendent of the Boston school district has launched an effort that is expected to result in a plan to decentralize the system next fall. **Page 12.**

Guns and Violence
Former U.S. Surgeon General C. Everett Koop and the editor of a leading medical journal have called violence an "acute public-health emergency," especially for young black men and women. **Page 14.**

Race and Infant Mortality
Race plays an important role in the nation's infant-mortality rate, even among college-educated mothers, the results of a new study suggest. **Page 15.**

Insight on Inequities
Representatives at an unprecedented international seminar on urban school design in Baltimore this month talked of innovation and inequity. **Page 18.**

Debut in Delaware
Delaware officials are set to announce an unusual partnership to set standards in key subjects and to develop assessments to measure student performance against the standards. **Page 25.**

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ACROSS THE NATION

STATES

California Court Overturns Ban On Disability Pay for Older Teachers

A state appeals court in California has ruled that a state law prohibiting disabled teachers over age 60 from collecting disability benefits violates federal prohibitions against age discrimination.

The case involves Naomi Smith, a teacher who was 64 when she was hit in the head by a kickball on a school playground in 1984. Her injuries prevented her from teaching for more than a year, and she had to retire after her sick leave ran out because California law limits disability benefits to people who become disabled under age 60.

Earlier this month, however, the Sixth District Court of Appeals in California said those age restrictions violate federal law because they amount to involuntary retirement.

In her lawsuit, Ms. Smith sought damages for lost salary and for the difference between retirement and disability benefits. Her lawyer said the teacher may also seek reinstatement to her job during settlement negotiations. ■

DISTRICTS

Judge Orders Tenn. District To Pay For Student's Psychiatric Care

A federal appeals court has ruled that a Tennessee school district must pay for a student's treatment in a psychiatric hospital where he was placed by his parents.

The May 29 ruling came in a case involving Jason Babbs, a teenager who, according to the suit, has a long history of emotional problems and academic failure. On entering the Knoxville County school system, the boy was evaluated for special-education services and found to be ineligible for such a program.

Unknown to his parents, however, the boy continued to have behaviorial problems in school. After learning that school officials were considering expelling Jason, the Babbs family withdrew him from school and placed him in a psychiatric hospital.

School officials contended that they were not required to pay for his care because Jason had been hospitalized for medical reasons.

A three-judge panel of the U.S. Court of Appeals for the Sixth Circuit said, however, that the school had failed to analyze the boy's needs thoroughly.

Moreover, the judges said, the federal statute "clearly embodies both academic instruction and a broad range of associated services traditionally grouped under the general rubric of 'treatment.' "

Lawyers for the school district said they plan to ask the full court to rehear the case.

■ **Two Milwaukee organizations last week announced a new school-choice program that will pay half of private-school tuition for children from low-income families.**

The Partnership for Educational Choice is modeled on the CHOICE Charitable Trust, a privately funded choice program in Indianapolis that has also been copied in San Antonio and Michigan.

The Milwaukee program was launched by the Lynde and Harry Bradley Foundation and Partners Advancing Values in Education, a local corporate partnership.

The Bradley Foundation pledged $500,000 a year for three years, which is expected to be matched or exceeded by other corporate and foundation donations.

Under the program, eligible low-income families who reside in the Milwaukee school district may apply for grants for one-half of private-school tuition, up to $1,000 annually per child.

Unlike the state-sponsored voucher program in Milwaukee, which applies only to nonsectarian private schools, the partnership program will extend to religiously sponsored schools.

■ **The president of the Austin, Tex., school board filed a lawsuit this month to have herself declared the district's budget officer and, therefore, in charge of preparing the school spending plan.**

In a suit filed in Travis County District Court, Beatriz de la Garza said that she, not the district's superintendent, should manage the district's budgeting.

The court action came after the board refused to change the district's budget policy and shift control to Ms. de la Garza. Local officials said they fear that the Texas Education Agency might step in to supervise the district if the dispute is not quickly resolved.

The lawsuit challenges board members and district administrators to prove why Ms. de la Garza should not be in charge of the Austin Independent School District's finances. Furthermore, the action asks the court to order the district's superintendent, Jim Hensley, to provide whatever information and help the board president requests.

■ **The city of Chicago will purchase and install metal detectors at any of the city's 74 public high schools and alternative schools, if requested to do so by principals and the local school governing councils,** Mayor Richard M. Daley announced this month.

Under the plan, the city would provide two doorway-style metal detectors for each school. The metal detectors cost $3,000 each and would be paid for with funds remaining in two accounts used to retire bonds, according to the Mayor's office.

Recent random searches in the schools by Chicago police have turned up, among other weapons, dozens of guns, hundreds of knives and razors, and cans of Mace, officials said.

In the past, school officials could request the loan of hand-held metal detectors, said Lauri Sanders, a spokesman for the district. About a half-dozen high schools and two elementary schools have purchased hand-held detectors of their own, she said.

■ **The New York Civil Liberties Union is expected to file a lawsuit this month against the New York City Board of Education over its recent decision to require that AIDS-prevention lessons place a greater emphasis on sexual abstinence than on condoms.**

The resolution, adopted last month by the board, requires all outside organizations and individuals taking part in the district's AIDS-education program to sign a statement saying they will provide only materials and lessons stating that sexual abstinence is the most effective means of avoiding the virus that causes AIDS. Melinda Abrams, a spokesman for the civil-liberties group, said the agreement violates the U.S. Constitution's protections of free speech.

She said the group is likely to file a lawsuit on behalf of several individuals and organizations later this month.

Last week, a spokesman for the district said there were no resolutions before the board to rescind the policy. ■

The Smell of Money

Garlic is prized for the zest it lends to many dishes. Now, for the schools of Gilroy, Calif., it will also put money in the bank.

Gilroy, a quiet Northern California town, is the self-proclaimed garlic capital of the world, home to an annual garlic festival and the nation's largest grower of the pungent seasoning. Don and Diane Christopher, the owners of that enterprise, have been active in an annual fund-raiser for high-school students and day-care facilities, but saw a need for the kids "in between."

So, they decided to take a well-known local restaurant they recently acquired, Garlic Aulx, and turn it into a nonprofit fund-raising center for Gilroy's 12 public and private schools.

The Christophers' recipe calls for one school to receive 100 percent of one month's profits from the restaurant.

Loel Barr

To add more spice to the soup, the restaurant's customers decide which school will receive each month's profits. Each dining check lists the names of four elementary schools eligible for the next month's profits. Once a school is chosen, says Diane Christopher, it can urge parents, staff members, and community residents to have a night on the town and raise funds for the school at the same time.

Those profits, Ms. Christopher says, now average $2,000 to $6,000, but could reach as high as $16,000 if business booms.

"We discuss fund use with principals to make sure the donations are used for academics, not a new sprinkler system for the football field," Ms. Christopher says.

When Brownell Elementary school was chosen to receive the profits for July, its principal, Richard Imler, sent newsletters to the parents of all 730 students, urging them to dine out.

"It's a great investment in the community," says Mr. Imler, who plans to use the profits to enhance his school's library and computer resources. —S.K.G.

UPDATE

■ **City officials in Yonkers, N.Y., last week presented a federal judge with a plan designed to resolve the city's long-standing school- and housing-desegregation case.** *(See Education Week, April 22, 1992.)*

But resistance by one of the plaintiffs in the case, the local chapter of the National Association for the Advancement of Colored People, appeared to lessen the chances that the plan will be accepted by Judge Leonard B. Sand of the Federal District Court in Manhattan.

Local N.A.A.C.P. officials initially agreed to the city's plan, but withdrew their support early this month because, they said, it does not provide enough long-term, low-income housing and had not received the backing it needs from cooperative-apartment boards and condominium owners.

Robert Weber, the press secretary for Mayor Terence M. Zaleski, last week said the city was continuing its negotiations with the N.A.A.C.P. on the city council-approved plan, which calls for 709 units of low- and moderate-income, owner-occupied housing to be built in existing condominiums and cooperative apartments.

School officials already have desegregated the district's schools as a result of the 12-year-old case, in which city and school officials were found to be working in tandem to perpetuate the segregation of neighborhoods and schools.

■ **The Roman Catholic bishop of the Fort Wayne-South Bend, Ind., diocese has announced he will no longer recognize or meet with the local Catholic school teachers' union.**

The surprise—and apparently unprecedented—announcement late last month by Bishop John M. D'Arcy "shocked" the teachers who were anticipating a negotiating session the same day with diocesan officials, said Mike Thompson, the president of the union, Community Alliance for Teachers in Catholic High Schools.

Instead of negotiating with a union, Bishop D'Arcy said he will form an advisory council to be composed equally of teachers appointed by him and teachers elected by the union.

"Our frustration is that the church has long championed the rights of the union," Mr. Thompson said. "Now [Bishop D'Arcy] is taking this away from us."

The teachers, who have not yet formulated a response to the announcement, have had an ongoing dispute with the bishop. The high-school teachers are in their third year of working without a contract. *(See Education Week, Feb. 12, 1992.)*

A statement issued by the diocese said that Bishop D'Arcy made the decision after an "extended study" he conducted involving legal and religious experts, including other bishops.

John J. Reilly, the president of the National Association of Catholic School Teachers who had waged a national campaign on behalf of the Indiana teachers, last week called Bishop D'Arcy's decision a "disaster."

"It's union-busting . . . pure and simple," Mr. Reilly said.

■ **John Dickinson, a California teacher who spent six months in a military prison for refusing to serve with his Air Force Reserve unit in the Persian Gulf war, will be allowed to keep his teaching credentials.** *(See Education Week, April 8, 1992.)*

A committee of the California Commission on Teacher Credentialing late last month closed Mr. Dickinson's case, which means he will not be sanctioned for his military offense. The committee could have recommended revocation of his license on grounds of "moral turpitude."

Early last month, the American Civil Liberties Union, which represented Mr. Dickinson, sent the committee a brief that included 400 letters of support from a broad array of backers, among them a large majority of Mr. Dickinson's colleagues at the Santa Ana elementary school where he teaches 5th grade.

The committee closed the case after reviewing it during a three-day hearing in late May.

■ **The District of Columbia school board is expected this month to approve a measure that will require students to complete a semester in algebra in order to graduate.**

The proposal, which was announced by Superintendent Franklin L. Smith last week, is one of a package of strengthened requirements for the district's 18,000 students. Mr. Smith also called for adding a year of foreign language and a semester of geography to the curriculum.

The requirements would be phased in beginning in the fall.

The College Board has identified algebra and geometry as "gatekeeper" courses whose successful completion correlates with college admission and graduation, particularly for minority students.

Louisiana is thought to be the only state to require algebra for high-school graduation, but there is little agreement among educators there as to whether the requirement has improved academic performance or simply forced marginal students out of the state's system. *(See Education Week, June 5, 1991.)*

But districts nationwide, including the Dayton, Ohio, public schools, where Mr. Smith previously served as superintendent, have already imposed such requirements or are considering them in the hope of instilling academic discipline.

The Maryland State Board of Education, meanwhile, is expected to vote next month on a proposal to require the teaching of "algebra and geometry concepts" in all secondary-school mathematics courses.

■ **Boston school officials have agreed to settle a case brought by Latino parents who accused the district of systematically denying federally funded Chapter 1 services to thousands of limited-English-proficient students.** *(See Education Week, July 31, 1991.)*

The parents brought the class action last summer charging that, over all, 25 percent of students in the district received Chapter 1 compensatory services, while only 4.3 percent of L.E.P. students received such services.

Under the settlement, the district pledged to ensure equal access to the services for L.E.P. students, involve the plaintiffs in budget discussions for the program, provide both native-language and English-as-a-second-language Chapter 1 services, and issue an annual status report on the success of the effort.

Roger Rice, a lawyer representing the plaintiffs, said the settlement should result in "several millions of dollars" in additional funds for bilingual and E.S.L. students.

The agreement also notes that the district, which denies any deliberate discrimination, increased services to L.E.P. students this school year.

■ **Resistance from teachers has prompted Los Angeles Unified School District officials to abandon a proposal to shorten the school year and lengthen the school day to save money.**

The district's board agreed last week not to seek a state waiver to shorten the school year after a United Teachers of Los Angeles poll of 13,000 of its members showed that 80 percent oppose the idea.

Superintendent William A. Anton last month had proposed shortening the 180-day school year by 17 days and adding 30 to 40 minutes to each school day in an effort to save $160 million in staff and teachers' salaries and various other costs. *(See Education Week, May 27, 1992.)*

The board was expected to consider new budget cuts late last week in light of its decision not to try to alter the school year. ■

DIMENSIONS

School Lunches

During fiscal year 1991, an average of 24.2 million students participated each school day in the federal school-lunch program, according to data compiled by the Ways and Means Committee of the U.S House of Representatives.

During the year, some 4 billion lunches were served under the program, for a total cost to the federal government of $4.1 billion, the committee says, drawing on various reports submitted by the U.S. Department of Agriculture.

The data are contained in a mammoth volume of social-welfare statistics called the Green Book compiled annually by the committee since 1981.

According to the report, 92,200 schools nationwide participated in the program in 1991, and nearly 60 percent of the 42 million students enrolled in those schools participated in the program.

In that year, 42 percent of children in the program received free lunches, 8 percent received reduced-price lunches, and 50 percent paid full price.

The U.S.D.A. reported late last year that a growing percentage of students were receiving free or reduced-price lunches. *(See Education Week, Dec. 11, 1991.)*

The federal breakfast program, meanwhile, is much smaller, enrolling only some 4.4 million students a day.

Participation in the National School Lunch Program: 1981-91

Students Participating (in millions)

Fiscal Year	Free meals	Reduced-price meals	Full-price meals	Total	Federal costs (millions)
1981	10.6	1.9	13.3	25.8	$2,959.5
1983	10.3	1.5	11.2	23.0	2,828.6
1985	9.9	1.6	12.1	23.6	3,034.4
1987	10.0	1.6	12.4	24.0	3,245.6
1989	9.7	1.6	12.7	24.2	3,479.4
1991	10.3	1.8	12.1	24.2	4,072.9

SOURCE: House Ways and Means Committee

PEOPLE

■ A Connecticut educator has been named to head the troubled Chelsea, Mass., schools.

John Gawrys Jr., the superintendent of the Fairfield, Conn., schools, was named by Boston University officials to become the district's fourth superintendent in four years.

Mr. Gawrys succeeds Peter Greer, who resigned earlier this year to become headmaster of a private school in New Jersey.

In announcing the appointment, John Silber, the president of Boston University, said that Mr. Gawrys had committed himself to remain at least until the university's contract to manage the district expires in 1999.

■ **Alan E. Farstrup** has been named the new executive director of the International Reading Association.

Mr. Farstrup, the association's director of research and information services, has been its acting executive director since November 1991. ■

Corrections

The name of a union was incorrectly reported in a brief news item in the June 10, 1992, issue on a pending reorganization of the U.S. Education Department's office of postsecondary education. The correct name of the union is the Association of Federal Government Employees.

A story in the June 3, 1992, issue misstated fiscal requirements for Chapter 1 schoolwide projects. In order to continue such a project in the 1992-93 school year, a school must certify that state and local per-pupil spending in the school next year will equal funding for the school year now ending. ■

One Room, 159 Years.

Tom Herde/The Boston Globe

In Franklin, Mass., Jessica Spotts decorates the blackboard of what is believed to be the nation's oldest one-room schoolhouse still in use.

In Wake of L.A. Riots, Finding Money For Summer Jobs Seen as Top Priority

By Meg Sommerfeld

Employment and recreation programs for urban teenagers that saw their budgets slashed during the recession are getting more attention—and, in some cases, more money—in the wake of the Los Angeles riot.

Officials in eight cities said in interviews last week that, while local budgets for such programs are tight, they hope to keep services at levels comparable to last year.

The outlook for more aid from the federal government remains clouded, however.

On June 5, a Congressional conference committee approved a $2-billion emergency urban-aid bill that included $675 million for summer jobs, an amount sufficient to potentially double the number of jobs available for teenagers.

Cities may have to wait for the aid because President Bush has said he will veto the bill. He had asked the Congress to allocate only $500 million for summer jobs.

If the aid stays tied up much longer, municipal officials warned last week, it will be tough for them to boost the number of teenagers with jobs this summer.

"Quite frankly, I think if this doesn't happen by the end of this week, we are facing major problems in getting this going," Walther Delgado, the associate commissioner of the New York City department of employment, said last week. His agency plans to start its summer-jobs program June 29.

"If additional allocations are going to be made for the summer youth-employment programs, Congress must move very quickly so that we can use those funds to benefit the youth to the maximum," added Susan Fincke, a spokesman for Chicago's summer-jobs program.

City officials said that getting the money on such short notice will give them little time to locate jobs and match them with teenagers.

Getting this money quickly is "the key complication," according to Mr. Delgado. "We want not only to provide the opportunity, but to provide good working opportunities," he said.

National Outlook

Nationally, the number of teenagers in the labor force is expected to fall for the third summer in a row, largely as a result of demographic changes and the economic downturn, according to the U.S. Bureau of Labor Statistics. The unemployment rate for 16- to 19-year-olds actively seeking employment was 20 percent in May.

City officials say they expect to see more teenagers coming to them for work because the recession has cut the number of such traditional private-sector summer jobs as lifeguarding or working in a fast-food restaurant.

In addition, many unemployed adults are competing for the same entry-level jobs as teenagers. "There are a lot of adults out there willing to work for less money," Ms. Fincke of Chicago said.

Gretchen Decker, a spokesman for Manpower Inc., a Milwaukee-based temporary-employment agency, observed that more and more highly qualified college graduates are seeking work at her firm.

Those teenagers who are able to land jobs this summer can also expect to gain less experience from them than in years past, experts said.

As cities place more emphasis on the volume of teenagers participating in jobs programs, the quality of the work experience tends to decline, said Laurie Levin, the field-services director at Public/Private Ventures, a Philadelphia-based policy-research organization.

"The length of time most students work gets shorter, the number of hours gets shorter, and what they do cannot possibly be as carefully constructed as when you have fewer children having a more intensive and enriched experience," she said.

Situation in Cities

The job market for teenagers and young adults will be particularly tough in New York City, where the number of 14- to 21-year- olds seeking summer employment through the city has increased by more than fivefold over the past two years.

To date, 48,000 youths have applied for the 30,000 positions available through the city's employment program. Of the 30,000 jobs, 27,500 are funded under the federal Job Training Partnership Act, which limits eligibility to low-income youths under 21.

Mayor David Dinkins has also promised that the city will pay for an additional 3,000 jobs. Recently, he called on the city's business community to either hire extra teengers and young adults or contribute money to a fund for summer jobs.

The New York City Partnership, a private business coalition, hopes to place 45,000 youths in summer jobs this year, about the same number as last summer. In 1990, the organization was able to fill 52,913 positions.

In Chicago, Mayor Richard Daley has said he hopes to provide 14,000 students with jobs this summer, the same number as last year, despite a 13.6 percent cut in federal jobs funding, according to Ms. Fincke. About 9,000 students are on a waiting list, also about the same as last year.

In Boston and in Tampa, Fla., larger numbers of students have applied for J.T.P.A. jobs compared with last summer. Officials in both cities expect to provide jobs for the same number of or fewer students than last year.

The summer-job outlook is somewhat brighter in Washington. One year after Mayor Sharon Pratt Kelly reduced the number of summer jobs from 14,000 to 7,500, the city will increase the number of positions to 12,500. Mayor Kelly pledged the additional $3.5 million needed to underwrite the increases in February.

To date, 15,000 teenagers and young adults have signed up, and 700 others are on a waiting list, according to J.D. Brown, the associate director of the city's office of youth-employment programs.

Recreation Programs

Municipal parks and recreation programs are also being paid closer attention in the wake of the Los Angeles riot.

In Los Angeles, 15 of the city's 55 pools were initially slated to be closed this summer, according to Al Goldfarb, a spokesman for the city's department of recreation and parks. The city now plans to keep all the pools open.

Recreational facilities were spared from the looting and fires during the riot, according to Mr. Goldfarb. "We're moving forward with plans to do what we generally do each summer," he said.

The situation is less clear in New York City, where the parks department endured a $40-million budget cut in 1991 and where staffing has been reduced by 40 percent over the past two years.

Of 35 planned day camps, only 10 will be open in neighborhoods where parents and community organizations have promised to provide financial support.

All of the city's 67 pools and 16 of its recreation centers will be open. Nine other centers will open with staff members provided by community organizations.

Like other cities, New York has also had to seek outside funding. The city's parks commissioner, Betsy Gotbaum, has raised more than $6 million over the past two years from foundations, corporations, and individuals to maintain services.

"We will provide more this summer," said Edward F. Raasch, the chief of recreation for the city's parks and recreation department. "Last summer was probably the most difficult. We were hit with vast layoffs and little time to really gear up."

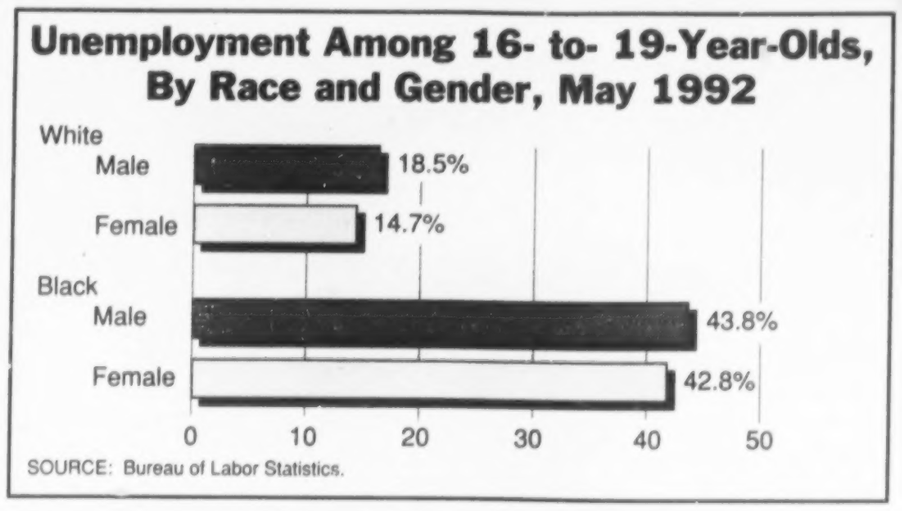
In Houston, the business community is also supporting the local parks department. A local grocery-store chain has pledged to plant one million trees in the area.

"They definitely fill the gaps where our funding is lacking," said Marilou A. Tehnet, a spokeswoman for the city's parks department.

This year, Houston plans to keep all of its 53 recreation centers, 334 parks, and 45 pools open, and will also increase some of its services. The department plans to serve 486,000 free lunches to low-income children at 238 sites, up from 189 sites last year.

The city of Portland, Ore., also plans to keep all of its facilities open, even though its budget has been cut "fairly significantly" over the past 10 years, said Richard J. Gunderson, the director of recreation in the city's bureau of parks and recreation.

A 50-cent surcharge on users of municipal golf courses has generated additional funding, and the department has also continued to increase its fees for some services, including swimming lessons and sports camps, that in the past have been free or of minimal cost.



Summer Unemployment Among 16- to -19-Year-Olds, 1983-1992

	April %	May %	June %	July %
1983	23.4	22.8	24.0	22.8
1984	19.2	18.7	18.2	18.8
1985	17.5	18.5	18.5	20.2
1986	19.2	18.6	19.2	18.4
1987	17.3	17.4	16.5	15.8
1988	16.0	15.3	14.3	14.8
1989	14.7	14.8	15.8	14.3
1990	14.9	15.2	14.6	15.3
1991	18.2	18.9	19.0	19.9
1992	19.2	20.0	—	—

SOURCE: Bureau of Labor Statistics.

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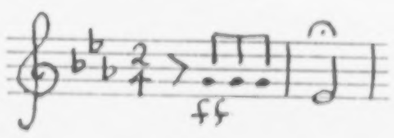

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Looking Beyond Money, Finance Suits Beginning To Focus More on 'Adequacy'

Continued from Page 1

areas—to "adequacy"—ensuring that the schools can provide each child with an opportunity for success in life.

Put another way, the adequacy movement demands that states provide schools the resources needed to meet the education standards the states themselves have set.

Equity-based challenges continue to predominate among the more than two dozen school-finance lawsuits currently pending in state courts. But suits emphasizing adequacy have been filed in Alabama, Connecticut, Louisiana, and Oklahoma. And an Illinois panel this spring discussed setting an adequacy standard for school funding, which it defined as ensuring that all districts in the state have about $4,000 per student to spend. *(See Education Week, April 22, 1992.)*

Some see the emergence of the adequacy strategy as a natural spinoff of the vigorous school-finance debate, as well as a connecting point to a variety of national-standards and assessment-reform efforts and larger state issues.

But others warn that it is a risky legal strategy that may endanger the momentum of school-finance litigation or even mark a retreat from the notion that all children deserve an equal schooling.

Constitutional Ambiguity

The distinction between equity and adequacy reflects the largely abstract notions on which school-finance lawsuits are decided in the courts.

The ambiguities begin with language in the state constitutions. Founding documents impose some sort of educational responsibility on the legislatures, clauses variously charge state lawmakers with ensuring "efficient," "thorough," or "sufficient" schooling. Some states' constitutions contain even more vaguely worded mandates.

In seeking to define those requirements in practice, judges in a number of states have concluded that lawmakers owe children relatively equal access to public funds, as well as an education that will prepare them for citizenship, work, and the pursuit of happiness.

One of the most specific findings, and a pioneer in development of the adequacy concept, was provided by the West Virginia Supreme Court in 1979. In addition to ordering a new distribution formula for state education funds, the court went on to explain that the framers of the state constitution envisioned a school system that produced students proficient in communication and decisionmaking; able to understand and interpret current events, health information, and the arts; and prepared to compete for jobs or to move on to further schooling or training.

The wave of lawsuits that began to pick up steam in the late 1980's has until recently focused on funding alone, however.

Beginning with supreme-court decisions in Kentucky, Montana, and Texas in 1989, courts have concluded that states neglected their duty to ensure equal funding and ordered sweeping remedies.

School-finance cases based on equity challenges have since won in New Jersey, twice more in Texas, and in lower courts in Kansas, Minnesota, and Tennessee.

But while the equity wins mount, researchers, educators, and lawyers are devoting renewed attention to the ingredients of an adequate education.

Influential in Court

Supporters argue that cases focusing on the adequacy of a state school system are potentially more influential in court and more manageable for legislators.

Several observers noted that state efforts that followed the landmark 1983 report, "A Nation at Risk," detailed a host of school reforms, program improvements, and accreditation standards that are financially out of the reach of many districts.

Thomas Victor

"Equality is the only proper standard," says Jonathan Kozol, the author of *Savage Inequalities*. ". . . By accepting adequacy as a standard, you are accepting a caste system."

When pegged to such state expectations, the analysts suggested, adequacy claims gain a solid foundation.

"You have to be able to translate money into education programs," said Helen Hershkoff, the associate legal director for the American Civil Liberties Union, which is backing school-finance lawsuits in Alabama, Connecticut, and Louisiana that emphasize adequacy issues.

"In our lawsuits, we raise equity as well, but it is very important to combine fiscal equity with adequacy," Ms. Hershkoff said. "In Alabama, we're arguing for the state's own standards. The litigation is very democratic at its base because we're using regulations and standards the state itself has developed."

Perhaps the most important pending adequacy case is in Oklahoma, where lawyers expect to argue the first finance lawsuit based solely on school adequacy and state standards in court late this year.

Lawyers for 40 of the state's largest districts acknowledged that they were forced to take the unique tack following an earlier decision by the state supreme court that gutted an equity challenge. But they added that their groundbreaking effort, if successful, will encourage similar strategies in other states.

"You can get into quite an argument over how to define adequacy, but there's quite a bit of language in the legislature's bills on what kind of school system they want to create," said Mark Grossman, a lawyer for the Oklahoma districts. "In terms of the goals the legislature is trying to achieve—they speak in terms of an excellent education—we're aiming that high. In terms of national norms, we are trying to bring it up to something near the average."

Meeting State Standards

The Oklahoma case questions whether the state's school-finance system allows many of its school districts to meet class-size and curriculum mandates. A suburban Oklahoma City district recently estimated that a seven-year, $13-million upgrade would be required to comply with all the standards included in a 1990 reform law. A state task force has set even higher expectations that include expanding programs ranging from school technology to preschools.

In building the adequacy case, the Oklahoma districts have hired consultants to pour through a variety of state data ranging from course offerings and test scores to teacher pay. In addition to comparisons from district to district, the case also will contrast performance and resources in Oklahoma districts with those in neighboring states and nationwide.

While preparation for the adequacy case may be more intensive than for an equity case, Mr. Grossman said, the results may be more convincing for the court and more informative for state officials.

"It would be easier for the court to rationalize inequities if you can't show the inadequacies," Mr. Grossman said.

"All things being equal, arguing equity is a much less complex task, but that's not to say adequacy can't be shown," said R. Craig Wood, the chairman of the education-leadership department at the University of Florida and a consultant to the Oklahoma districts. "There is a connection between a lack of money and inadequate districts."

Further, in weighing the two approaches, some observers note practical advantages to adequacy cases.

"Of the two, minimum-standards arguments do not invite the swarm of logistical, theoretical, and political difficulties that equity arguments do, and thus show greater promise for successful litigation," according to Molly McUsic, formerly of the Arizona Center for Law in the Public Interest.

In a 1991 article for the *Harvard Journal on Legislation*, Ms. McUsic, now a clerk for U.S. Supreme Court Justice Harry A. Blackmun, noted that adequacy cases are less likely to spark complaints about usurpation of local control and judicial intrusion.

The new focus on performance measures and classroom factors would also carry more weight, Ms. McUsic argued. "They reflect citizen interests more accurately than input measures," she wrote.

'A Terrible Retreat'

But other finance experts warn against rushing to embrace the adequacy strategy, particularly in light of recent successes based on equity.

"You would do well to stifle the issues of adequacy and go for disparities, because that's the pre-eminent issue," said Kern Alexander, a professor at Virginia Polytechnic and State University who has testified as an expert witness in several school-finance cases. "Adequacy is in the eye of the beholder. It's an issue you want to stay away from unless you have a poor state."

Mr. Alexander, who is working with the poor school districts in Alabama, recommended that adequacy remain a secondary issue. He said it was brought up in the Kentucky and Tennessee cases both to bolster the equity case and, by exposing glaring deficiencies, to argue against any legislative solution that would simply reshuffle existing funds.

"It is important that you make the case for leveling up, and that forces you into an adequacy argument that may be destructive because you don't want to measure what's minimally adequate," he said. "The court must be concerned about equal access to the resources of the state."

Some argue more vehemently that the adequacy strategy is unwise.

"Equality is the only proper standard," said the author Jonathan Kozol, whose recent book, *Savage Inequalities*, focused on the human side of school-funding disparities.

"I have grave concerns about cases based on adequacy," Mr. Kozol said. "It is an unwise direction unless it is tightly linked to the equality question. To separate them strikes me as a terrible retreat."

In asking the state to meet an adequacy standard, Mr. Kozol said, educators would be opting for a minimum state public-school program and a continued gulf in opportunity.

"To a large degree, what is said to be adequate for the poor is determined by the rich," Mr. Kozol argued. "It's decided usually in accord with our opinion of what their usefulness is to us. It's much like the arguments you hear from business leaders who say the success of education is in providing the workers they need, not the future managers that would compete with their kids."

"By accepting adequacy as a standard, you are accepting a caste system," he added.

For the Defense

The defenses mounted by states in court against finance challenges also have been a factor in the growing interest in the adequacy issue.

Observers said that, despite the recent school-finance wins, lawyers and educators pressing lawsuits have been vexed by still-unanswered questions about the relationship between money and results in the public schools.

Mr. Alexander and others said their reluctance to elevate the adequacy issue comes partly because it has been an issue on which state defendants have scored some points.

"I would say that 50 percent of the questions the defense will ask will have to do with adequacy," he said. "But in the past, plaintiffs would seek to avoid it as much as possible."

"Districts are being pulled that way by the defense," said G. Alan Hickrod, the director of the Center for the Study of Educational Finance at Illinois State University. "They always

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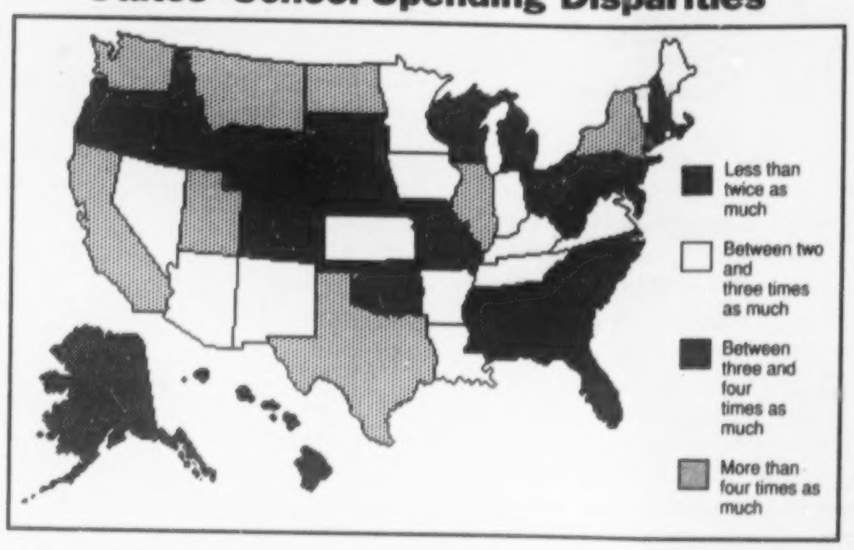
States' School-Spending Disparities


Less than twice as much
Between two and three times as much
Between three and four times as much
More than four times as much

The gulf between the wealthiest and poorest school districts, based on per-pupil expenditures, varies greatly from Delaware, where the wealthiest district spends 1.43 times as much as the poorest, to Texas, where the difference is more than 6.75 times. Actual per-pupil funding levels for districts with at least 50 students range from $22,329 in the North Slope Borough school district in Alaska to $1,975 in the Fortine Elementary school district in Montana. State officials note that funding levels cannot accurately be compared among states, since different factors are used to determine per-pupil funding.

State	High Spending	Low Spending
Alabama	$ 4,773	$2,656
Alaska	$22,329	$5,605
Arizona	$ 8,023	$2,714
Arkansas	$ 5,843	$2,081
California	$11,740*	$2,692*
Colorado	$13,617	$3,740
Connecticut	$ 9,823*	$5,051*
Delaware	$ 6,106*	$4,324*
Florida	$ 5,489*	$3,836*
Georgia	$ 5,246	$2,660
Hawaii	$ 5,337	$5,337
Idaho	$ 7,806	$2,133
Illinois	$14,316	$2,253
Indiana	$ 8,084*	$3,090*
Iowa	$ 7,478*	$3,668*
Kansas	$ 5,830*	$2,609*
Kentucky	$ 5,018*	$2,422*
Louisiana	$ 5,717	$2,714
Maine	$ 7,860	$2,674
Maryland	$ 7,213	$4,284
Massachusetts	$ 8,634	$2,817
Michigan	$ 8,407	$2,491
Minnesota	$10,200*	$3,470*
Mississippi	$ 4,800	$2,506
Missouri	$ 8,336	$2,388
Montana	$10,495*	$1,975*
Nebraska	$10,534	$2,985
Nevada	$10,794	$4,068
New Hampshire	$ 9,554*	$2,899*
New Jersey	$11,820	$3,074
New Mexico	$ 6,067*	$2,544*
New York	$19,238*	$3,127*
North Carolina	$ 5,480	$3,303
North Dakota	$11,743*	$2,086*
Ohio	$11,422*	$3,230*
Oklahoma	$ 9,869*	$2,738*
Oregon	$10,350*	$2,953*
Pennsylvania	$ 9,504	$3,148
Rhode Island	$10,232*	$5,078*
South Carolina	$ 5,045	$3,188
South Dakota	$ 7,426	$2,379
Tennessee	$ 5,163	$2,415
Texas	$14,514*	$2,150*
Utah	$10,252*	$2,504*
Vermont	$ 9,240	$3,399
Virginia	$ 8,371*	$3,700*
Washington	$14,229	$3,375
West Virginia	$ 5,440*	$3,552*
Wisconsin	$13,918*	$3,762*
Wyoming	$15,461	$4,384

* 1990-91 figures; others are for 1989-90.
SOURCE: State education departments.

Courts Set Back School-Finance Suits in Ill., Tenn.

By Lonnie Harp

Judges in Tennessee and Illinois have dismissed school-finance lawsuits, in both cases ruling that the legislature—and not the courts—was responsible for any changes.

Although the decisions were seen as setbacks for the low-wealth-school-district plaintiffs in both states, the lawyers involved said they expected the cases to be appealed to each state's supreme court.

The Illinois dismissal last week was at the initial level of judicial consideration, in a county court. But the verdict in Tennessee was handed down this month by the state appeals court, which reversed a chancery-court judge's ruling for the districts.

Tennessee: A Silver Lining?

Tennessee officials said they will now take their case to a state supreme court that has an activist reputation. The appeals court's decision also may allow the high court to rule by early next year, before the legislature adjourns its 1993 session.

"This might be a silver lining," said Bill Emerson, the superintendent of the Crockett County schools and chairman of the Tennessee Small School Systems, a group of 75 districts challenging the current finance system.

The appeals court ruled 2 to 1 that the case did not prove discrimination and, therefore, did not warrant court intervention. "Except for vindication of constitutional and-or statutory rights, the courts are not at liberty to determine matters of political or governmental policy," Appeals Court Judge Henry Todd wrote.

In dissent, Judge Samuel Lewis said the trial demonstrated disparities in areas ranging from laboratories to music courses.

In light of the success of other recent school-finance challenges, State Attorney General Charles W. Burson said he was pleased with the court's decision. "The court was careful to point out the dangers of blindly following the developments in other states; instead, we must focus on the language of our own constitution, laws, and conditions," he said.

Leaders of the low-wealth districts noted that their case has already prodded the legislature this year into adopting school reforms and a new finance formula. But only $113 million of the state's $2-billion education budget is distributed under the new, more equalized formula, and Mr. Emerson said he doubts state leaders would look out for the interests of the small schools if the lawsuit fails.

"The urban interests are in control of the legislature," he said. "We need the courts on our side."

Illinois: No Second-Guessing

In Illinois, Cook County Judge Thomas J. O'Brien granted a state motion to dismiss the finance case and said that the state constitution and deliberations of a 1970 constitutional convention made clear that equal school funding was not guaranteed.

"It is not the business of the courts to second-guess the judgment of the legislature," he wrote.

Observers said the strong ruling dealt a setback to the school districts' case, and will heighten the importance of a constitutional amendment on the ballot this fall that would strengthen the state's school-funding responsibility.

While the case is expected to reach the state supreme court, observers noted, districts also will more closely watch the work of the legislature, which has formed a task force on finance reforms.

The finance issue remains critical in Illinois, where per-pupil spending varied from $2,253 to $14,316 in 1989-90.

"The tremendous disparity in funding per pupil still exists," noted State Superintendent of Education Robert Leininger.

Continued from Preceding Page

make the argument that money isn't the only thing that matters."

Mr. Hickrod argued that defense lawyers can use the adequacy issue to cloud equity claims because it is such a difficult concept to define.

"What is missing is some 'external' or 'absolute' standard for adequacy or inadequacy," he concluded in a report. "There have been attempts to create such an external criterion by panels of experts and by using data at the national level, but nothing has yet as widespread acceptance."

"We may be a little ahead of the technology," said John Augenblick, a Denver-based school-finance consultant. "This is a natural evolution of the process, but when you talk about performance at this stage in the game, remember that not everyone has agreed on what kids are supposed to be able to accomplish."

Link to Reforms

Although research may be lagging, observers suggest that the national education goals and ongoing overhauls of standards and assessment may lend steam to the adequacy focus as a way of linking school finance to the national reform picture.

"Adequacy is always an idea whose time has never come, but now we're staring it right in the face," said Allen Odden, the director of the Consortium for Policy Research in Education's finance center at the University of Southern California. "You need, at some point, to know what are the overall school programs that we need, and what is the price tag."

Research on the cost-effectiveness of education programs, how schools spend their budgets, and new ways to test students should help nurture adequacy issues that were previously considered unwieldy, observers said.

"In the past, people shied away from this because they were reluctant to get into the equality of outcomes based on test scores," Mr. Odden said. "Now, we're willing to begin tackling that head on."

"We're not centuries away from producing better outcomes," he added, "but unless people raise the issue, we will never address it as we need to."

Development of the adequacy issue also might help state leaders make more rational funding decisions, according to Chris Pipho, who oversees state relations for the Education Commission of the States.

"You need, at some point, to know what are the overall school programs that we need, and what is the price tag," Allen Odden of the University of Southern California says.

'Money Makes a Difference'

Mr. Augenblick contended that, while the adequacy issue might make interesting fodder for policymakers and researchers, it probably does not belong in court.

"This fits in with the school-improvement approach people are taking, but you don't ever want to end up where you define what the resources are other than money, because that runs roughshod over issues of local control," he said. "We should leave that up to districts and schools to decide."

"Plus, more and more, governors and legislators are pulling away from the idea that they know what the best inputs are," he added. "It's actually become a sub-local issue."

Advocates of adequacy cases argue, however, that the issue can not be put to rest so easily.

"I don't think adequacy is a nebulous issue," said Ms. Hershkoff of the A.C.L.U. "Most states have developed standards to define some basic education, and a court can enforce those rules and regulations."

"It seems to me that, if we cannot say what an adequate education is, taxpayers ought to be pretty concerned," she added.

Given the ambiguities at work in any school-finance case, Mr. Grossman, the Oklahoma City lawyer, predicted that the adequacy strategy could be persuasive in court.

"Before, you were trying to determine what is meant by equitable or equal," he said. "Now, we're trying to determine what is meant by adequacy. There is not a lot of research out there, so we are all operating on presumptions that money makes a difference."

Billy D. Walker, a veteran of Texas' school-finance debate, said districts will likely not be satisfied unless states settle both issues.

"People aren't looking at this just to be litigious," said Mr. Walker, the executive director of the Texas Association of School Boards. "It has to do with leveling down and, in Texas at least, looking at the long-term funding of education."

"Adequacy is an issue that has always taken a back seat to equity, and it ought to, but they do go hand in hand," he added. "A system that is equitable and inadequate is hardly any better for students than a system that's inequitable."

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